

REMARKS

With regard to the above-identified Final Rejection, and subsequent Advisory Action, the Applicants respond to the bases for non-entry of the Response After Final of August 7, 2002. Specifically, on further conversation with the Examiner, the Applicants amend the broad generic claim of the application to specify the conditions claimed to be treatable in dependent Claim 14. With this Response, Claim 14 is cancelled. Thus, the scope of the claim covers conditions treatable with the disclosed compounds. There is no suggestion or teaching the prior art of record for treatment of these conditions with these compounds. It is submitted that this amendment both places the application into condition for allowance, and certainly does not raise any new issue as the subject matter was claimed on filing of the application and should already have been properly considered.

* * * * *

Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned attorney has made an earnest effort to place this application into condition for immediate allowance. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding

insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE

Dated: September 10, 2002
Customer No.: 25,666
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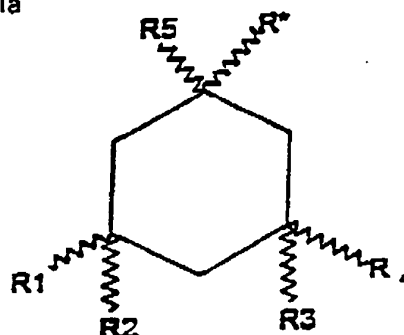
Enclosure: Postal Card Receipt,
Claim amendments,
One (1) month extension fee of \$110

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR DEFECT IN THE ATTACHED CHECK, 37 CFR § 1.17 FEES, OR ANY EXTENSION OF TIME FEES UNDER 37 CFR § 1.136(a)(3), OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08-3220.

- 1 - (clean)

A method-of-treating a living animal for inhibition of progression or alleviation of a condition which is alleviated by a 5HT₃ or neuronal nicotinic receptor antagonist, selected from emesis, cerebellar tremor, and appetite disorders, comprising the step of administering to the said living animal an amount of a 1-aminoalkylcyclohexane compound selected from the group consisting of those of the formula



wherein R* is $-(CH_2)_n-(CR^6R^7)_m-NR^8R^9$

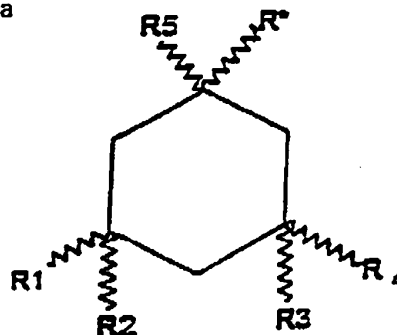
wherein $n+m = 0, 1, \text{ or } 2$

wherein R¹ through R⁷ are independently selected from the group consisting of hydrogen and lower-alkyl C₁-C₆, wherein R⁸ and R⁹ are independently selected from the group consisting of hydrogen and lower-alkyl C₁-C₆ or together represent lower-alkylene $-(CH_2)_x-$ wherein x is 2 to 5, inclusive, and optical isomers, enantiomers, hydrates, and pharmaceutically-acceptable salts thereof, which is effective for the said purpose.

- 1 - (amended)

A method-of-treating a living animal for inhibition of progression or alleviation of a condition which is alleviated by a 5HT₃ or neuronal nicotinic receptor antagonist, selected from emesis, cerebellar-tremor, and appetite disorders, comprising the step of administering to the said living animal an

amount of a 1-aminoalkylcyclohexane compound selected from the group consisting of those of the formula



wherein R* is $-(CH_2)_n-(CR^6R^7)_m-NR^8R^9$

wherein $n+m = 0, 1, \text{ or } 2$

wherein R¹ through R⁷ are independently selected from the group consisting of hydrogen and lower-alkyl C₁-C₆, wherein R⁸ and R⁹ are independently selected from the group consisting of hydrogen and lower-alkyl C₁-C₆ or together represent lower-alkylene $-(CH_2)_x-$ wherein x is 2 to 5, inclusive, and optical isomers, enantiomers, hydrates, and pharmaceutically-acceptable salts thereof, which is effective for the said purpose.

MAR-03-2003 18:19

HUESCHEN AND SAGE

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Commissioner of Patents
Washington, DC 20231

G. PATRICK SAGE, ATTY. AT LAW

G. Patrick Sage

MO:

MERZ 30 - SN 09/597,102

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SECURITY FEATURES: MICRO PRINT TOP & BOTTOM BORDERS - COLORED PATTERN - ARTIFICIAL WATERMARK ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

Applicant : Christopher Graham Raphael PARSONS, et al.
Serial No. : 09/597,102
Filed : June 20, 2000
1-AMINO-ALKYLCYCLOHEXANES AS 5-HT3
NICOTINIC RECEPTOR

Applicant : Christopher Graham Raphael PARSONS, et al.
Serial No. : 09/597,102
Filed : June 20, 2000
Title : 1-AMINO-ALKYLCYCLOHEXANES AS 5-HT3
AND NEURONAL NICOTINIC RECEPTOR
ANTAGONISTS
Art Unit : 1617
Examiner : Shaojia JAING, PhD

and

Response and Amendment After Final, Claims amendments, and
\$110 extension fee.
MERZ 30/dln
September 10, 2002

